

LACKAWANNA WON THE SUIT

New York Farmer's Claim That the Tracks Caused a Severe Flood!

INVOLVED MANY THOUSANDS

After Five Days of Spirited Litigation and Expert Testimony the Judge Took the Case from the Jury and Released the Company.

A litigation which terminated Friday in Livingston county, N. Y., included the Delaware, Lackawanna and Western railroad as defendant and renders improbable further action of a large number of land owners whose farms were claimed to have been damaged by flood to the extent of many thousands of dollars through the building of the company's line of road. The circumstances are peculiar and interesting.

The suit just ended was begun last week Monday in Genesee before Judge Yeomans. John E. White, the plaintiff, was represented by Attorney Hastings, of Mount Morris, and ex-Judge Nash, of Batavia. The defendant company was represented by such eminent counsel as Attorneys John J. Wilburn, of Buffalo, and Charles J. Bissell, of Rochester. Intense interest was attached to the case from the fact that its result bore upon suits which might follow in case the plaintiff was successful. However, the case was taken from the jury and a decision made that the company was not liable.

District of Semi-Annual Flood. When the Lackawanna system was extended to Buffalo the company leased the New York, Lackawanna and Western road, which traversed the Genesee valley. In the spring and fall of nearly every year the valley to the distance of six or seven miles, and for an average width of a mile, would be overflowed. In 1889 the region was visited by an unusually severe flood, which created great damage, and the cause was attributed to the company by the plaintiff, Mr. White. The amount of damages was not specified.

The line of road running west crosses the Canaseraga creek, about six miles from the creek's intersection with the Genesee river, and runs parallel with the smaller stream all the distance. At the time of the alleged damage the tracks and embankment separated the stream from the flooded district. The plaintiff's claim was, in substance, that the company had not provided for the passage of the receding waters through its embankment and was the cause of serious injury to the farm lands, which were submerged for four days. In defense the company proved that it only took thirty hours for the water to overflow the land, and had provided sufficient sluiceway for it to recede, in the same length of time.

After five days of spirited trial and expert testimony of engineers, Judge Yeomans took the case from the jury and decided the plaintiff had no cause of action.

RELIGIOUS TOPICS.

Lay Reader Charles Fraser preached two excellent sermons at St. David's church yesterday. In the absence of the rector, Mr. Mill, who was administering communion at Tunkhannock.

George R. Sanborn, of the Rescue Mission, and F. W. Pearson, of the Railroad Young Men's Christian association, occupied the pulpit of the Calvary church yesterday.

A grand rally of the Sunday school of the Scranton Street Baptist church was held by the teachers and other officers. Special music was rendered by the choir.

Captain Patten Watkins, of the Salvation Army barracks, Hyde Park, throughout yesterday.

Bishop Nicholson will hold a confirmation service at the Grace Episcopal church, Wyoming avenue, tomorrow evening at 7:45 o'clock.

Bible day was celebrated at the West Market Street Baptist church last night, when an excellent programme was performed and a substantial offering was taken for the Publication Society.

Few citizens have heard of the Scranton Bazaar club, which is accomplishing such excellent work in the ranks of the young men of the city. The club has been organized by Secretary Mahy, of the Young Men's Christian association, and has fifty-two members in the first branch and fifty members in the railroad branch, under the direction of P. W. Pearson. The members wear a badge with an image of the letter W signifying "Waiting, Watching, Willing, Working, Winning," and are also pledged to a systematic course of Bible study, which is undertaken chiefly on Saturday evenings at the Young Men's Christian association rooms and on Tuesday evenings at the railroad rooms.

A. W. Dickson delivered an excellent address at the afternoon meeting at the Young Men's Christian association yesterday. At next Sunday's meeting Mr. and Miss Mechem, of New York city, will read harp and saxophone duets. St. Luke's Magazine for November is a very bright number and contains an interesting recapitulation of the work

MUNYON SAVED HER.

How Mrs. Reese Became a Convert

Her Arm Was Useless, and Could Not Be Moved Without Pain—How She Was Cured.

Mrs. John Reese, South Pottstown, Pa., says: "It is now about a year since I was cured of one of the worst attacks of rheumatism I ever had. I had tried all kinds of remedies and had several doctors, but nothing did me any good; so I concluded to try Munyon's Remedy. I never had any faith in homeopathy; I confess now I am a firm believer in it. After taking the Rheumatism remedy a few days I was able to raise my arm, which I had not moved for two weeks without the most intense torture. Within a short time I was completely cured, and it was permanent, for during the past year I have not had the slightest return of the disease."

Munyon's Rheumatism Cure is guaranteed to cure rheumatism in any part of the body. Acute or muscular rheumatism cured in from one to five days. It never fails to cure sharp, shooting pains in the arms, legs, sides, back or breast, or soreness in any part of the body in from one to three hours. It is guaranteed to promptly cure lameness, stiff and swollen joints, stiff back, and all pains in the hips and joints. Chronic inflammation, sciatica, lumbago or pain in the back are speedily cured.

Munyon's Homeopathic Home Remedy company, of Philadelphia, put up specifics for nearly every disease, which are sold by all druggists, mostly for 25 cents a bottle.

of the past month and the current work of the various guilds. The rector writes a pithy account of a week's work as taken from his diary which will surprise many members of the church who otherwise would not appreciate the numerous call upon a clergyman's time.

IN LOCAL THEATERS.

Tonight the Frothingham lady orchestra will give the second of its series of concerts at that beautiful play house. It will be assisted by Miss Pauline Gilden-Chapman, cornet soloist, and Fred Emerson, Brooks, the California poet humorist. An evening of rare enjoyment is in store for those who attend this concert. Among Mr. Brooks' noted compositions are the following, which he will recite: "The Wasp at the Camp Meeting," which illustrates the devil-may-care young American "Old Ace," which describes a horse race and has a vein of delicate humor; "Little Tim's Tobacco," a pathetic story; "The Orthodox Ox Team," a description of a Californian's twelve-yoke team; "Oh, Ye-Yus," how a Yankee boy sparks. The admission price will be but 50 cents; no reserved seats.

At the Academy of Music tonight "The New South" will be produced as a benefit for the May Aug Hose company. It is the most successful American play that has been given to the public in the past few seasons. Joseph R. Grimmer and Miss Phoebe Davis, two well known stage favorites, sustain the leading roles.

"McKenna's Filtration," a laughable farce comedy that has been seen before in this city, will be produced at the Frothingham tomorrow night. The company that will be seen in it here is very strong and evenly balanced. The singing is especially commendable, and the airs are tuneful and harmonious. To all lovers of rollicking, healthy fun, taking from a class of real life in New York, there is to play that affords a better chance than "McKenna's Filtration."

"Tim the Tinker," the Irish comedy drama in which John E. Brennan is starring this season, will be seen at the Frothingham Wednesday and Thursday nights. It is an exciting and well constructed drama and has a number of clever mechanical effects.

Charles A. Hartley, the Scranton boy who has won such fame in New York as a ventriloquist, will appear at the Academy of Music Thursday evening and give an entertainment, assisted by his own specialty company, every member of which is a star.

Friday and Saturday evenings and Saturday afternoon the "Country Circus," will be given at the Frothingham under the direction of Jefferson, Klav & Erlanger. It is the biggest indoor entertainment given on a stage anywhere.

A gymnastic exhibition will be given by the members of the Scranton Turn Verein Monday evening, Nov. 26.

Manager Davis has secured a great attraction for the coming week in William O. Austin's Giganteans and famous "Living Pictures," which will come direct to Scranton after a straight run of six months at the Palace theater, Boston. Every precaution has been taken by Mr. Davis and a written guarantee given that no indelicate picture or scene is introduced, but that the whole performance is a first-class entertainment.

The press records and recommendations speak unusually well of the company, and there is no doubt whatever but that the reputation of this popular house will be more than sustained during the coming week.

"City Government," a play written by James Gillette, of this city, and said to deal with councilmanic corruption and boodles, will be given in Scranton next spring. The scenery is said to include the Elm Park church and the chimneys of that edifice are to be reproduced.

Our line of new link cut-buttons is the handsomest, as well as the most convenient in the city. Davidow Bros.

ANOTHER GOOD MOVEMENT

An Emergency Club to Be Organized in the City.

Arrangements are being made to organize an Emergency club in the city, with headquarters at the Young Men's Christian association. The work has been carried on for many years in England under the name of the St. John's Ambulance association, and the movement will be set on foot upon the same lines in this city.

Such a club will prove of immense benefit, as the physicians and surgeons have been approached and have promised to give free lectures and lessons weekly upon the important work of "first aid" in cases of accident. The membership will be free and this excellent opportunity will probably be grasped by miners, mechanics and representatives of other trades where liability to accidents exist.

We have sterling silver necktie holders. Gents ask to see them. Davidow Bros.

KLINE WAS VINDICATED.

Arbitrators Estimate the Damage to His Character at \$25.

Mrs. Mary Langan openly alleged that James Kline and another man drove her cow out of her yard and to the pound so that they could collect the pound fee. He sued her for slander and placed the case in the hands of Attorneys Hulslander & Vashburg. Attorney Joseph O'Brien was engaged by Mrs. Langan.

Court appointed as board of arbitrators Charles E. Oliver, John Edwards and E. H. House. After hearing the evidence on both sides an award in favor of the plaintiff of \$25 was given.

And if you want to be an early riser, think of Davidow Bros. alarm clocks. 217 Lacka. ave.

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\$5.55 to New York and Return. Special excursion to New York via the popular Central Railroad of New Jersey, on Tuesday, Nov. 20. Rain or shine. Fare \$4.55 from Scranton, and all intermediate points, Pittston, Milners, Parsons, Wilkes-Barre. A first-class refreshment car in charge of the Union News company will be attached at Wilkes-Barre. Good to return on any regular train within five days. Leave Scranton 8:20 a. m.

LARKIN GETS \$700.

Two Juries Reach Verdicts and One Agrees No Disagree.

He sued for \$2,500, but a jury gave Michael Larkin, of West Lackawanna, avenue only \$700 for damages sustained to his property by the widening of the street.

A verdict for the defendant was rendered in the replevin suit of John P. Jones against William Maxwell and others.

In the trespass suit of William McManes against George Cooper, the jury could not agree and were discharged.

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and rapidly growing children derive more benefit from Scott's Emulsion, than all the rest of the food they eat. Its nourishing powers are felt almost immediately. Babies and children thrive on Scott's Emulsion when no other form of food is assimilated.

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stimulates the appetite, enriches the blood, overcomes wasting and gives strength to all who take it. For Coughs, Colds, Sore Throat, Bronchitis, Weak Lungs, Emaciation, Consumption, Blood Diseases and all Forms of Wasting. Send for pamphlet. Free. Scott & Bowne, N. Y. All Druggists. 50c. and \$1.

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Have you Sore Throat, Pimples, Copper-Colored Spots, Aches, Old Sores, Clens in Mouth, Hair-Falling, Write Cook, Remedy Co., 302 Madison Temple, Chicago, Ill. for proof of cures. Capital \$500,000. Patent secured nine years ago today and well 100-page book free.

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The company has adopted the plan of NO CURE, NO PAY, to all responsible parties. Therefore taking upon themselves the risk of failure to cure, and proving to a doubtful public the superiority of the medical talent employed by them. This offer holds good until January 1, 1895. Genito Urinary Surgery in all its branches will be performed by Competent Surgeons. Call or send 6 cents in stamps for "Good News," a treatise on Nervous Diseases of you g men. Office Hours—8 a. m. to 8 p. m.

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